

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

DOCKET NO. 1:08cr128

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	<u>FINAL</u>
)	<u>ORDER OF FORFEITURE</u>
(7) SEAN ANTHONY ERVIN,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on the Government's Motion for Final Order of Forfeiture. [Doc. 338].

On February 23, 2009, this Court entered a Preliminary Order of Forfeiture pursuant to 21 U.S.C. § 853(n) and Fed. R. Crim. P. 32.2(b), based upon the Defendant's plea of guilty to Counts One and Three of the Bill of Indictment. Count One charged him, along with several other defendants, with knowingly and intentionally combining, conspiring, confederating and agreeing with each other to possess with intent to distribute a quantity of cocaine base, commonly known as crack cocaine, a Schedule II controlled substance, in violation of 21 U.S.C. § 846 and 841(a)(1). Count Three charged him with knowingly, willfully and unlawfully possessing a firearm in

the furtherance of a drug trafficking crime, a violation of 18 U.S.C. § 924(c)(1).

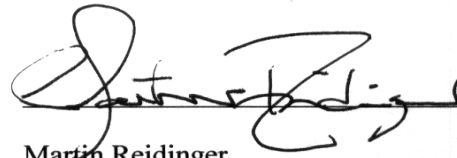
On April 15 through May 14, 2009, the United States posted on an official government internet site (www.forfeiture.gov), for at least 30 consecutive days, notice of this forfeiture and of the intent of the United States to dispose of the forfeited property in accordance with law, and further notifying all third parties of their right to petition the Court within thirty days for a hearing to adjudicate the validity of any alleged legal interest in the property. It appears from the record that no such claims have been filed.

IT IS, THEREFORE, ORDERED:

In accordance with Rule 32.2(c)(2), the Preliminary Order of Forfeiture is confirmed as final. All right, title, and interest in the following properties, whether real, personal, or mixed, has therefore been forfeited to the United States for disposition according to law:

**One Taurus handgun, .45 caliber, s/n NTE12678;
One Winchester rifle, .22 caliber, s/n B1807423;
One Talon handgun, 9mm caliber, s/n 06154;
One Smith & Wesson handgun, 9mm caliber, s/n TDF4299;
One Phoenix Raven handgun, .25 caliber, s/n 3015702;
One Highpoint handgun, .40 caliber, s/n X714752;
One Remington 870 pump shotgun, 12 gauge, s/n S349807V;
One SS Krease Co. shotgun, 12 gauge, s/n 589399;
One Lorcin handgun, .380 caliber, s/n 532208;
Two Jennings handguns (matching set), .22 caliber, s/ns 321853
and 363115;
One Yugo rifle, 7.62x39 rifle, s/n F173927;
One unknown make revolver, .22 caliber, s/n TX76045.**

SO ORDERED.


Martin Reidinger
United States District Judge



Signed: October 7, 2009